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April 21, 2023

BY ECF

The Honorable Paul G. Gardephe
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Jane Doe v. John Roe*, No. 1:22-CV-08779-PGG-SLC

Dear Judge Gardephe:

I write on behalf of Plaintiff Jane Doe, to request an adjournment of the May 4, 2023 pretrial conference until July 2023 in order to allow service of process to be properly effectuated on Defendant in Japan. This is Plaintiff's second request for an adjournment. *See* ECF 22; ECF 23 (order granting first request).

As the Court is aware, Defendant is a resident of Japan who must be served pursuant to the Hague Convention. *See* Japan – Central Authority & practical information, HCCH (last visited April 20, 2023), <https://www.hcch.net/en/states/authorities/details3/?aid=261>. Although Plaintiff has diligently proceeded with service upon Defendant, notwithstanding our best efforts, service will require additional time to complete. More specifically, the service vendor has recently confirmed to us that while the Japanese government has not completed service, it has transmitted the as-filed papers to local authorities, and the service vendor anticipates that the local authorities will deliver the papers to defendant within the next two months.

Accordingly, Plaintiff requests an adjournment of the May 4, 2023 pretrial conference until a date in July 2023, at which point we hope service will have been completed.¹ If Plaintiff receives an affidavit of service on Defendant prior to that time, Plaintiff will promptly notify the Court.

We appreciate the Court's attention to this matter.

Respectfully submitted,


Roberta A. Kaplan

¹ Because of the circumstances of this request, providing a date to which our adversary consents is not possible at this time. In the interest of completeness, I should also notify Your Honor that I am scheduled to be in trial before Judge Kaplan in *Carroll v. Trump*, No. 22-CV-10016-LAK (S.D.N.Y. Nov. 24, 2022), and it is possible that trial will still be ongoing on May 4, 2023.

MEMO ENDORSED

The Application is granted.

SO ORDERED:



Paul G. Gardephe, U.S.D.J.

Dated: April 26, 2023